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11
12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA
14 WESTERN DIVISION
15

16 MICHAEL GRECCO
17 PRODUCTIONS, INC., d/b/a “Michael
18 Grecco Photography”, a California
19 corporation,

20 Plaintiff,

21 v.

22 VALNET, INC., a Canadian
23 Corporation, individually, and doing
24 business as “Screenrant.com” and
25 “Collider.com”; and DOES 1-10,

26 Defendants.
27
28

Case No. 2:23-cv-04086-WLH-E

Hon. Wesley L. Hsu

**JOINT STIPULATION TO
EXTEND DEADLINES**

[Declarations of Marc E. Mayer and
[Proposed] Order filed concurrently
herewith]

Complaint Filed: May 25, 2023

**TO THE DISTRICT COURT, ALL PARTIES, AND THEIR ATTORNEYS
OF RECORD:**

Pursuant to Federal Rule of Civil Procedure 16(a)(2) and Local Rule 7-1, Michael Grecco Productions, Inc. (“Plaintiff”) and Defendant Valnet, Inc. (“Defendant”), through their respective counsel of record, hereby submit the following Joint Stipulation seeking the Court’s permission to extend all dates that have not already passed in the Civil Pretrial Schedule and Trial Order (ECF No. 22; the “Scheduling Order”) by 60 days.

WHEREAS, on November 1, 2023, the Court entered the Scheduling Order, which set forth the schedule that governs this case. *See infra* at pp. 3-4.

WHEREAS, the Scheduling Order set a fact discovery deadline of April 8, 2024, and an expert discovery deadline of May 20, 2024. *Id.*

WHEREAS, the parties are mindful of this Court’s Scheduling Order. However, the parties feel that a modest continuance of the trial and other associated deadlines is appropriate, given the parties’ recent efforts to settle this matter, and their desire to continue pursuing a settlement prior to incurring what will likely be significant pre-trial expenses.

WHEREAS, the primary basis for this request is that the parties wish to continue their settlement discussions, which the parties believe could ultimately be fruitful and bring about an efficient resolution to this matter. However, with the aforementioned deadlines currently bearing down, the parties will soon be forced to incur significant expenses. If the parties incur these expenses, this will likely make settlement more difficult, if not entirely unfeasible.

WHEREAS, the parties jointly request a 60-day extension of all dates that have not already passed in the Scheduling Order. The parties believe that such an extension would facilitate the possibility of settling the action.

WHEREAS, based on the foregoing, the parties jointly agree that “good cause” exists for a 60-day continuance of the trial date and the pre-trial deadlines, as set forth below:

Event	Current Date	Proposed Date
Fact Discovery Cut-Off	4/8/24	6/7/24
Expert Disclosure (Initial)	4/22/24	6/21/24
Expert Disclosure (Rebuttal)	5/13/24	7/12/24
Expert Discovery Cut-Off	5/20/24	7/19/24
Last Date to <u>Hear</u> Motions <ul style="list-style-type: none"> - Rule 56 Motion due at least 6 weeks before hearing; - Opposition due 2 weeks after motion is filed before hearing; - Reply due 1 week after Opposition is filed 	7/19/24	9/20/24
Last Date to <u>Hear</u> <i>Daubert</i> Motions	8/16/24	10/18/24
Deadline to Complete Settlement Conference [L.R. 16-15] before Magistrate Judge	9/6/24	11/5/24
<u>Trial Filings</u> (first round): <ul style="list-style-type: none"> - Motions <i>In Limine</i> (except <i>Daubert</i>) - Memoranda of Contentions of Fact and Law [L.R. 16-4] - Witness Lists [L.R. 16-5] - Joint Exhibit List [L.R. 16-6.1] - Joint Status Report Regarding Settlement 	9/13/24	11/12/24

1	- Proposed Findings of Fact and		
2	Conclusions of Law [L.R. 52] (court		
3	trial only)		
4	- Declarations containing Direct		
5	Testimony, if ordered (court trial		
6	only)		
7	<u>Trial Filings</u> (second round):	9/27/24	11/26/24
8	- Oppositions to Motions <i>in Limine</i>		
9	- Joint Proposed Final Pretrial		
10	Conference Order [L.R. 16-7]		
11	- Joint/Agreed Proposed Jury		
12	Instructions (jury trial only)		
13	- Disputed Proposed Jury Instructions		
14	(jury trial only)		
15	- Joint Proposed Verdict Forms (jury		
16	trial only)		
17	- Joint Proposed Statement of the		
18	Case (jury trial only)		
19	- Proposed Additional Voir Dire		
20	Questions, if any (jury trial only)		
21	- Evidentiary Objections to		
22	Declarations. of Direct Testimony		
23	(court trial only)		
24	Final Pretrial Conference at 3:00 p.m.	10/11/24	12/13/24
25	Trial at 9:00 a.m.	10/29/24	1/14/25
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27			
28			

WHEREAS, neither party will be prejudiced as a result of the continuance of the deadlines above, and the parties jointly agree that this request is submitted in the interests of justice to promote efficiency and conserve the parties' and judicial resources.

WHEREAS, this is the parties' first request for a modification of the Scheduling Order.

NOW THEREFORE, the Parties, by and through their counsel, hereby stipulate¹ and agree, subject to the Court's approval, to the modified schedule set forth on pages 3 through 4 above.

IT IS SO STIPULATED.

DATED: MARCH 12, 2024

DAVID A. STEINBERG
MARC E. MAYER
MITCHELL SILBERBERG & KNUPP LLP

By: /s/ Marc E. Mayer
David A. Steinberg
Marc E. Mayer
Attorneys for Defendant Valnet, Inc.

DATED: MARCH 12 2024

DONIGER / BURROUGHS
KELSEY SCHULTZ

By: /s/ Kelsey Shultz
Kelsey Schultz
Attorneys for Plaintiff Michael Grecco Productions, Inc.

¹ Nothing herein is intended to be, or may be construed as, a waiver of any rights, objections, claims, affirmative defenses, or contentions of any party hereto, all of which are expressly reserved.

Attestation Regarding Signatures-Local Rule 5-4.3.4(a)(2)(i)

I, Marc E. Mayer, attest that all signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

DATED: MARCH 12, 2024

/s/ Marc E. Mayer
Marc E. Mayer